



SPONSOR: Rep. Heffernan

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2
TO
HOUSE BILL NO. 21

1 AMEND House Bill No. 21 at line 9 by striking the phrase “have historically been” and inserting in lieu thereof
2 “are at risk of being”.

3 FURTHER AMEND House Bill No. 21 at line 81 by deleting “anatomical gift” and inserting in lieu thereof
4 “organ transplant”.

5 FURTHER AMEND House Bill No. 21 by inserting the following after line 96:

6 § 2744. Remedies

7 (a) Any person subjected to discrimination in violation of this subchapter or who has reasonable grounds for
8 believing that such person is about to be subjected to discrimination in violation of this subchapter may bring an action in
9 the Court of Chancery for injunctive or other equitable relief.

10 (b) The court shall accord priority on its calendar and expeditiously proceed with an action brought under this
11 section.

12 (c) Nothing in this section is intended to limit or replace available remedies under the ADA or any other applicable
13 law.

SYNOPSIS

This amendment rewords a portion of the declaration of intent to clarify that this Act is intended to prevent future discrimination rather than rectify any known past discrimination in this State. It also provides a mechanism for addressing discrimination in violation of this section in a state court, possibly expediting the resolution of such claims and making a life-saving difference in the organ transplant process. This amendment also makes a technical clarification.